

BUSINESS OF THE HOUSE

Mr. SPEAKER.—Sri K. H. Patil says that the matter is not concluded. He forgets the rule, which says that $2\frac{1}{2}$ hours is the maximum. Debate has taken place, reply was given, there is no question of vote, and there is no question of debating beyond 2 hours.

Sri S. NIJALINGAPPA (Chief Minister).—So many friends on both sides have spoken yesterday. I have reports also of certain members, who visited the place. I think two groups visited the area, one possible from this side and one from the other side. I have just received that Report. But, whatever it is, having considered all that has transpired, I am contacting the Chief Justice with a view to see as to whom he can spare to have a judicial enquiry in this matter.

Sri K. H. PATIL.—Our Chief Minister was kind enough to hear us. Instead of appointing a Judicial Officer of our State, in order to make the enquiry perfect, a Judicial Officer from outside the State may be appointed.

REPORT OF THE COMMITTEE ON PUBLIC ACCOUNTS ON THE APPROPRIATION AND FINANCE ACCOUNTS OF THE GOVERNMENT OF MYSORE FOR 1963-64 AND AUDIT REPORT, 1965

Presentation

Sri S. D. KOTHAVALA (Sankeshwar).—Sir, I present : “the report of the committee on Public Accounts on the Appropriation and Finance Accounts of the Government of Mysore for the year 1963-64 and the Audit Report, 1965, relating to Commerce and Industries Department, Development, Housing, Panchayat Raj and Co-operation Department, Finance Department, Forest Department and Public Works Department.”

2.30 P.M.

Mr. SPEAKER.—The report is placed on the Table of the House.

LAND ACQUISITION (MYSORE AMENDMENT AND VALIDATION BILL, 1967

Motion to consider—(Debate contd.)

Sri H. SIDDAVEERAPPA.—Sir, on the other day when this Bill was under discussion I endeavoured to show how the amendment sought to be made by the Minister is not in the public interest and how since the bill being one of the expropriatory nature and since

(SRI H. SIDDAVEERAPPA)

our Constitution guarantees the right of every individual to enjoy his property unless it be that it is acquired under process of law. It would be very necessary not to accept this amending Bill. I would implore the Hon'ble Minister to ponder over the situation and examine for himself whether there is any substance in what I am presently submitting. Of course there is a judgement of the Court which cannot be invalidated. Even for that position, Sir, Hon'Member Mr. Nagappa was looking into the decision yesterday. Supposing the Court holds that a particular clause is repugnant to the Constitution. Why do you validate it by bringing an amending Bill? If it has the effect of invalidating the constitutional provision even that Amending Bill ought to be invalidated. So far as this present position is concerned, it is open to the Supreme Court decision as has been laid down in AIR 1966-Supreme Court at page 1593 in the case of Madhya Pradesh.

"The State of Madhya Pradesh and others, Appellants Vs. Vishnu Prasad Sharma and others, Respondents". Sir, in this case, Justice Wanchoo has very clearly enunciated the legal position. I will read the relevant portions for the consideration of the Hon'ble Minister.

He says "Two things must be borne in mind while construing sections 4, 5A and 6. The first is that the Act provides for acquisition of land of persons without their consent and in such case the provisions of the statute must be strictly construed. Secondly, in interpreting these provisions the court must keep in view on the one hand the public interest which compels such acquisition and on the other interest of the person who is being deprived of his land without his consent. It is open to the appropriate Government to issue as many notifications as it deems fit under S. 4 (1) even with respect to the same locality followed by a proper notification under S. 6 so that the power of the appropriate Government to acquire land in any locality is not exhausted by the issue of one notification under S. 4 (1) with respect to that locality. On the other hand as the compensation has to be determined with reference to the date of the notification under S. 4 (1) the person whose land is to be acquired may stand to lose if there is a great delay between the notification under S. 4 (1) and the notification under S. 6 in case process have risen in the meantime. This delay is likely to be greater if successive notifications under S. 6 can be issued with respect to land comprised in the notification under S. 4 with greater consequential loss to the person whose land is being acquired if prices have risen in the meantime.

Even if the Government is not able to make up its mind all at once about its requirements of land there is nothing to prevent the Goverment from issuing another notification under

S. 4 followed by a notification. Under S. 6, The Government's power to acquire land in a particular locality is not exhausted by issuing one notification under S. 4 (1) followed by a notification under S. 6. It can proceed to do so by a fresh notification under S. 4(1) and a fresh declaration under S. 6. Such a procedure would be fair to all concerned; it will be fair to government where the prices have fallen and it will be fair to those whose land is being acquired where the prices have risen".

Therefore, Sir, it will be seen that primarily as I have said, this being special law which goes against the constitutional guarantee given to us under the chapter of fundamental rights, care must be taken to see that law is there to exercise it cautiously. The law is therefore not for a matter of the executive conveniences. Situations may arise wherein, Government may feel the need and the necessity to get things done quickly. No doubt one cannot have an imagination to consider all the questions that may arise for all the time. The Hon'ble Minister knows that he is a public servant. Such being the case, nothing prevents him to go through the normal process of law specified under Sections 4, 5 and 6. You cannot acquire a property of a person simply because of necessity. It is considered against the necessity of a person for whom the constitutional guarantee is thereunder the fundamental rights to use his property for any purpose he likes unless and until it is acquired under due process of law. The Hon'ble Minister puts forth some plea with a view to circumvent or with a view to side track it or with a view to get out of it and he wants to have this amending Bill. If there is anything that requires validation you can do it. But you cannot say that there is Supreme Court Decision therefore you have got reasons to bring this amending Bill. I humbly submit that the decision of the Supreme Court, so far as this situation is concerned, is not applicable. I want the Minister to examine it dispassionately and objectively and then come to a conclusion. I would like the minister not to press for this Bill and he may get it back or if he feels that it is absolutely necessary, he may refer it to a select committee so that all these matters may be thrashed out. I therefore feel, Sir, one of the two things he may do; he may straightaway withdraw the Bill or if he so likes he may refer it to the Select Committee. As it is, I request him not to press the Bill.

† Sri S. SIVAPPA.—I think as my Hon'ble friend Sri Siddaveerappa rightly suggested that no hasty legislation should be pushed through. Because of the importance of the Bill, I suggest that the Hon'ble Minister for Revenue may refer this Bill to a Joint Select Committee so that the Committee may give its report by the time we meet next in March or April. After all, two or three months will not matter much. Instead of going hastily through such an important measure, I think the Joint Select Committee will do a lot of help to you also.

[MR. DEPUTY SPEAKER in the Chair]

† ಶ್ರೀ ಎ. ವಿ. ಬತಾಡ್ (ಸುರತ್ತಲ್).—ನಾನ್ಯಾಯಿ, ಅಗಾಗರೆ ರಾಜ್ಯಂದ್ರ ಅಕ್ಷಯ್ಪನ್ ಅಕ್ಷಯ್ಪಿನಿಂದ ಬೇಕಾದಪ್ಪು ಅನ್ಯಾಯಿಗಳಾಗುತ್ತಿವೆ. ಸೆಕ್ಕನ್ ರೆ ಡಿಕ್ಟೇಪ್ರನ್ ಪ್ರಕಾರ ಅಗಾಗರೆ ತುಂಬಾ ಅನ್ಯಾಯಿವಾಗುತ್ತಾ ಉಂಟು. ಉದಾಹರಣೆಗೆ ವೆನ್ ಕೋನ್‌ಪ್ರೆ ರಸ್ತೆ ವಿಚಾರ ನೋಡಬಹುದು. 6ನೇ ಸೆಕ್ಕನ್ ಪ್ರಕಾರ 3 ವರ್ಷಗಳ ಅವಧಿ ಕೊಡುವುದು ಬಹಳ ಅನ್ಯಾಯ. ಆಗ ಸೆಕ್ಕನ್ 4 (1)ರ ಪ್ರಕಾರ ನೋಡಿಫಿಕೇಶನ್ ಅಗಿ ಸುಮಾರು 7 ವರ್ಷಗಳವರೆಗೆ ಅಕ್ಷಯ್ಪು ಆಗದೆ ನಂತರ ಅಗಿರುವುದುಂಟು. ನೂರತ್ತು ಇಂದಿಯಿರಿಂಗ್ ಕಾರ್ಯೇನಿಸವರಿಗೆ ವೆನ್ ಕೋನ್‌ಪ್ರೆ ರಸ್ತೆಯನ್ನು ವಿನಾಶಿಸಿ ಮಾಡುವುದಕ್ಕೆ 1960ನೇಯ ಇನ್ವಿಟ್ಯುಲ್ಟ್ 4 (1)ನೆಯ ಸೆಕ್ಕನ್ ಪ್ರಕಾರ ನೋಡಿಫಿಕೇಶನ್ ಆಗಿದೆ. ಆ ಸಂಬಂಧಪಾಗಿ ಯಾವ ರಿಂದ ಅಜ್ಞಯೂ ಕೂಡ ಇಲ್ಲದಿದ್ದರೂ, ಅದಕ್ಕೆ ಭೂ ಮಾಲೀಕರ ತಡೆಯಲ್ಲಿದ್ದರೂ 1966ರ ವರ್ಗೀ ಅವಾದ್‌F ಅಗದ ಬಡ ಭೂ ಮಾಲೀಕರೆ ಬಡ ರೈತರಿಗೆ ತೊಂದರೆ ಮಾಡಿದರು. 7 ವರ್ಷಗಳನಂತರ ಅಸ್ತಿ ಚೆಲೆ 100ರಿಂದ 100 ರೂಪಾಯಿಗಳವರಿಗೆ ಆ ಪ್ರಮಾಣದಲ್ಲಿ ಜಾಸ್ತಿಯಾದಾಗ 3 ವರ್ಷದ ಹಿಂದಿನ ದರ ಕೊಟ್ಟಿ ಅವಿದ್ಯಾಪಂತರಾದ ಬಡ ರೈತರಿಗೆ ನೂರು ರೂಪಾಯಿ ಕೊಡುವಕಡೆ 3 ಪಾವಾನ್ ಬಿಸಾಡಿ ಅನ್ಯಾಯಿಮಾಡಿದ್ದಾರೆ. ಸೆಕ್ಕನ್ 6 ಪ್ರಕಾರ ಈ ಕಾನೆಸಿನಂತೆ 3 ವರ್ಷಕಾಲ ಕೊಡುತ್ತಾರೆ. ರೂಪ್ಯ ಪ್ರಕಾರ 3 ತಿಂಗಳಲ್ಲಿ ಯಾವುದನ್ನು ಮಾಡಬೇಕು. ಅಬೋಜೆಕ್ಟ್ ಫ್ಯಾಲು ಮಾಡುವುದಕ್ಕೆ 45 ದಿವಸಗಳ ಅವಕಾಶ ವಿದೆ. ಕಾನೆಸು ಪ್ರಕಾರ 6 ತಿಂಗಳಲ್ಲಿ ಏಲಾ ಮಾಡಬೇಕು. ಇಂಥ ಅವಧಿಯನ್ನು ಅನಾವಶ್ಯಕವಾಗಿ 3 ವರ್ಷಕ್ಕೆ ಮುಂದುವರೆಸಲಬ್ಬಾರೆ. ಸೆಕ್ಕನ್ 6ರ ಪ್ರಕಾರ ಕ್ರಮ ತೆಗೆದುಕೊಂಡ ಕೂಡರೆ ರೈತರಿಗೆ ಈ ಸಿಕ್ಕುವುದಿಲ್ಲ. ಈ ಸಿಕ್ಕಬೇಕಾದರೆ ಅವಾದ್‌F ಆಗಬೇಕು. ಅದಕ್ಕೆನೂ ಕಾಲ ಗೊತ್ತು ಮಾಡಿಲ್ಲ.

Sri B. RACHAIAH.—Maximum time is fixed.

Sri P. V. AITHAL.—Maximum time is now fixed in the amendment Bill which is against all law. The Land Acquisition provides for payment of compensation on the basis of the market value prevailing 3 years before the date of notification. You know that the prices of lands have been increasing 10-fold and 100-fold in view of the various developments in the State and all over-India and this section 4(1) which says that the land value should be the rate prevailing on the date of notification or 3 years before it requires to be amended. Now you are giving another 3 years. The price you now pay the landlord is the price which was prevailing 6 years ago which is not even 1/10th of what it is today. 3 ವರ್ಷಗಳ ಕಾಲ ಆಗ ಕೊಡುವುದು ಬಹಳ ಅನ್ಯಾಯ. ಆಗ ತಂದಿರುವ ಅದ್ದು ಫಡಿ ದುರುದ್ದೀ ಶರಿದ ಕೂಡಿದೆ. ನನ್ನ ದೇಶದಲ್ಲಿ ರಾಜಕೀಯ ಮುಂದಾಳಾಗಳಿಂದ ಆಗುವ ಅನ್ಯಾಯವನ್ನು ಹೆಚ್ಚಿಕೆಂದರೆ ಅವರು ತಮಗೆ ಖಚಿ ಬಂದಹಾಗೆ ಎಂಜಿನಿಯರಿಗಳು ಮತ್ತು ಎಕ್ಸ್‌ಪ್ರೆಸ್‌ರೆಕ್ರಿಯರ್‌ಗಳ ಪಲಹಿಗೆ ಗಮನಕೊಡಿ ಯೋಜನೆ ಮಾಡುವುದರಿಂದ 21 ನಾವಿರ ಕೋಟಿ ರೂಪಾಯಿ ಹಾಳಾಗಿದೆ. ನಾಗರಿಕ ದೇಶಗಳಲ್ಲಿ, ಅವೇರಿಕಾ, ಇಂಗ್ಲೆಡ್ ಮುಂತಾದ ದೇಶಗಳಲ್ಲಿ ಒಂದು ಯೋಜನೆಯಾಗಬೇಕಾದರೆ ಸಂಬಿಂಧಪಟ್ಟ ಪ್ರವೀಳರ ಸಲಹೆಯನ್ನು ಪಡೆದು ಮುಂದುವರೆಯುತ್ತಾರೆ. ಅದರೆ ನಮ್ಮ ದುರಾದ್ವಾರ್ಥಿದಿಂದ ಭಾರತದಲ್ಲಿ ಪ್ರಾಸಿಂಗ್ ಮತ್ತು ಎಕ್ಸ್‌ಕ್ರಿಪ್ರನ್‌ಗೆ ಪ್ರವೀಳರ ಸಲಹೆ ಪಡೆದು ಅದರಂತೆ ಕಾರ್ಯಗತ ಮಾಡುವುದಿಲ್ಲ. ಮಂಗಳೂರು ಬಂದರಿನ ವಿಚಾರ ನೋಡಬಹುದು, ಅದಕ್ಕೆ ಇದುವರೆಗೆ 13 ಕೋಟಿ ರೂಪಾಯಿಗಳು ಬಹಳಾಗಿದೆ! ಅದರೆ ಅಲ್ಲಿನು ಕೆಲಸವಾಗಿದೆ? 3 ವರ್ಷದಿಂದ ಅದಕ್ಕಾಗಿ ತೆಗೆದುಕೊಂಡಿರುವ ಬಡ ರೈತರ ಜಮಾನು ಬಂಜರು ಬಿಡ್ಡಿದೆ. ಹೆಬ್ಬಿದರಿಯವರೆಗೆ ಕಾಲ ಕೊಡುವುದಾಗಿ ಮುಖ್ಯ ಮಂತ್ರಿಗಳು ಹೇಳಿದರೂ ಕೂಡ ಕೇಳಿದೆ ಜಮಾನ್ನು ಹೊರಗೆ ಹಾಕಿದ್ದಾರೆ, ಸೆಕ್ಕನ್ 6ರ ಪ್ರಕಾರ ವಿವರ ನಮ್ಮು ದೀಕ್ಟೇಪ್ರನ್ ಮಾಡಲು ವಿಕೆಕೊಡುವುದು? ಎಲ್ಲಾ ಈ ರೀತಿ ಇಲ್ಲ. ಇದರಲ್ಲಿ ರಾಜಕೀಯ-ಕ್ರೊಪಾಡಿವರೆಗೆ, ನಿಷ್ಠೆ ವಿರೋಧ ನವರ ಶರಿನಿಷ್ಟು ಕ್ರೊಗಾರಿಕೆಗೆ ಓಂದು ಪ್ರಾಣ ಸರ್ವ ನರ್ವ ಸಂಬಂಧ ಬೇಕೆಂದು ಹೇಳಿದರು. ಹಾಗೆ ಬೇಕಾದರೆ ಶೋರುಕೊರಾಗಿ ದೀಕ್ಟೇಪ್ರನ್ ಮಾಡುವುದೇಕೆ? ಇದರಲ್ಲಿ ದುರುದ್ದೀ ಶಿಲ್ಪಿದೆ. ಸೆಕ್ಕನ್ 4 (1)ರ ಪ್ರಕಾರ 108ನ ಸರ್ವ ಸಂಬಂಧ ಪೂರ್ವ ಬೇಕೆಂದು ಹೇಳಿ ಚುನಾವಣೆ ನಮ್ಮುದಲ್ಲಿ ಸೆಕ್ಕನ್ 6ರ ಪ್ರಕಾರ ಏರಡು ಸರ್ವ ಸಂಬಂಧ ಬೇಕೆಂದು ಹೇಳುವುದು, ಉಣಿ ನಮಯವಾದ ನಂತರ ಬಿಡುವುದು. ಹೀಗೆ ನಡೆಯುತ್ತಿದೆ.

ಇದು ಬಾಯಂಕಂನಲ್ಲಿ ಹನ್ನೆರಡು ರೂಪಾಯಿಗಳನಿಃಷ್ಟ ಮೂಲರು ಮುಕ್ತಾರು ರೂಪಾಯಿಗಳರಿಂದ ವಾಪಸು ಹೇಗೆ ತೆಗೆದುಕೊಳ್ಳುತ್ತಾರೋ ಅ ರೀತಿ ಆಯಿತೆ ! ಇದರಿಂದ ರಾಜಕೀಯ ಕೈವಾಡ ಕಂಡಬಂಧಿ ಅಗಲಕ್ಕೆ ಬಂಧು. ಶ್ರಮಾವಿಗೆ ಎಲ್ಲಕ್ಕೆನ್ನು ಬೆಂತನಲ್ಲಿ ಹೂ ಹಳೆ ಮುಂತಾದ ರಿ - 6 ಗ್ರಾಮಗಳು ಇಲ್ಲಿ ಎಂದು ಹೇಳಿದರು. ಈಗ ಅವನ್ನೂ ಕೂಡ ನೋಡಿಫೇಸ್ ಮಾಡಿದ್ದಾರೆ. ಈ ಅರ್ಕ್ಷನ ಪ್ರಕಾರ ಅವರಿಗೆ ಬೇಕಾದರೆ ಬಿಡಬಹುದು, ಇಲ್ಲದೇ ಇದ್ದರ ಅವರಿಗೆ ಹೇಗೆ ಬೇಕೋಳೆ ಹಾಗೆ ಮಾಡಬಹುದು.

Smt. LEELAVATHI RAI.—On a point of order Sir. I want to know whether the Hon'ble Member is giving a speech on the election or is he speaking on the Bill ?

Sri P. V. AITHAL.—I am giving instances of how much mischief can be done by extending the period and passing section 6 piecemeal, ಮೂಲರಿಗೆ ಪ್ರಾರಂಭಮಾಡುವಾಗ ಇಂಜಿನಿಯರುಗಳನ್ನು ಕೇಳಿ ಎಷ್ಟು ಜಾಗ ಬೇಕೋಳೆ ಅಷ್ಟನ್ನು ಮಾತ್ರ ಅಕ್ಷಯ್ಯ ಮಾಡಿಕೊಳ್ಳಬೇಕು. ಹಾಗಲ್ಲದೇ ಈ ರೀತಿ ಸೆಕ್ಕನ್ ರಿರ ಪ್ರಕಾರ ಮಾಡುತ್ತಾ ಹೊದರೆ ಎಕ್ಕುವೇಲ್ಪೇಟ್ಟಿರ ರೇಚನ್ ಜನಗಳ ಮನಸ್ಸನ್ನು ಬಹಕ ನೋವೆ ಮಾಡುತ್ತದೆ. ವ್ಯಕ್ತಿಗಳ ಹಕ್ಕು ಏನಿದೆ ಅದಕ್ಕೆ ದಕ್ಷಿಣನ್ನು ತಂದು ಬಂಡುತ್ತಾ ಇದಿಲ್ಲ. ವ್ಯಕ್ತಿ ನ್ನಾತಿಂತರ ವಸ್ತು ಕಾಪಾದಬೇಕು, ಅಗತ್ಯವಲ್ಲದ ಅದಿಕಾರಗಳನ್ನು ಇದರಲ್ಲಿ ಕೊಡಬಾರದು. 4 (1) ರ ಪ್ರಕಾರ ಅಕ್ಷಯ್ಯಿಂದ ಮಾಡುವಾಗ ಪರಿಣತರ ಅಭಿಪೂರ್ಯವನ್ನು ತೆಗೆದುಕೊಂಡು ಬಂದೇ ನಲ ಎಷ್ಟು ಭಂಡಿ ಬೇಕೋಳೆ ಅಷ್ಟನ್ನು ನಿಗದಿ ಮಾಡಬೇಕು. ಇಲ್ಲದೇ ಹೊದರೆ ರಾಜಕೀಯ ಕೈವಾಡ - ಅಗ್ನಾತಾನ ದಲ್ಲಿತಕ್ಕ ಮಂತ್ರಗಳು ಕೈವಾಡನ ನಡೆಸಲಕ್ಕೆ ಅನುಕೂಲವಾಗುತ್ತದೆ. ಬಂದು ಕೇಸಿನಲ್ಲಿ ರಿಂದಲ ತೀರ್ಥ್ಯಾ ಯಾರೂ ಕೂಡ ಕೊಡುವುದಿಲ್ಲ, ಬೇಕಾದರೆ ಅವೀಲು ಕೋಟ್ಯುಗೆ ಹೊಗಬಹುದು. ಒಬ್ಬ ನಾಯಾದಿತ್ಯ ಹತ್ತು ನಲ ತನ್ನ ತೀರ್ಥ್ಯಾನ್ನು ಬಂದು ಕೇಸಿನಲ್ಲಿ ಬದರಾವಜ್ಞ ಮಾಡುವಂತಹದು ಇದರ್ದೀ ಶಾಖೆಯಿಲ್ಲ.

Mr. DEPUTY SPEAKER.—We have allotted only half-an-hour for this Bill.

Sri P. V. AITHAL.—I have not completed. I have just begun. ಇದುವರೆಗೂ ಬಂದು ಡಿಕ್ಲೇಷನ್ ಹಾಕ 3 ನರ್ವೆ ನಂಬಿರು ಇರುವ ಕಡೆ ಎರಡು ನರ್ವೆ ನಂಬಿರು ತೆಗೆದುಕೊಂಡು ಮತ್ತೊಂದು ಕಡೆ ಇನ್ನೊಂದು ನರ್ವೆ ನಂಬಿರು ತೆಗೆದುಕೊಂಡದ್ದು ಇದೆ. ಬೈಕಂಪಾದಿನಲ್ಲಿ ಈ ರೀತಿ ಅದಮ್ಮದ್ದು ಬಂಧು, ಜಾತಿ ಕೆಷ್ಟ ಹೆಗನ್ನು, ಜಾತಿ ಕೆಷ್ಟ ಬಂಧು ಬುರ್ಣಿಹಳಿ ಇದ್ದಿರೆ ಸುದು ಶಾಂತ ಮಾಡುತ್ತಾರೆ. ಆ ರೀತಿ ಸುದುತ್ತಾದ್ದೇ ಇಲ್ಲ ತಾವು ಮಾಡುತ್ತಾ ಇದಿಲ್ಲ, ಇದು ಬಹಕ ಅನ್ಯಾಯ. ರಾಯರುಗಳಾದ ನರಗಿ ಇದರ ಎಷ್ಟು ಗೊತ್ತು. ವ್ಯಾಲಡೇಷನ್ ಸರಿಯಾಗಿಲ್ಲ ಎಂದು ಬಂದು ನಲ ನುವ್ವಿಲ್ಲ ಕೋಟ್ಯು ನಂತರ ಅದು ಭವಿಷ್ಯವನ್ನೇ ತೆಗೆದುಹಾಕಲಕ್ಕೆ ಕಾನೂನನ್ನೇ ಬಿದರಾಯಿಸುವುದು ಸರಿಯಿಲ್ಲ. ಇದು ಪ್ರಜಾಪ್ರಭುತ್ವಕ್ಕೆ ಅನ್ಯಾಯ ಎಂದು ಹೇಳಿತ್ತೇನೆ. ನಮ್ಮ ದೇಶ ಇನ್ನೂ ಮುಂದುವರಿಯಬೇಕಾದ ದೇಶವಾದ ಕಾರಣ ಇಲ್ಲ. ಪ್ರಜಾಪ್ರಭುತ್ವ ಬೇಕಿಯುವುದಕ್ಕೆ ಅವಕಾಶ ಮಾಡಿಕೊಡಬೇಕು. ಈ ರೀತಿ ತಾವು ವ್ಯಾಲಡೇಷನ್ ಮಾಡುವುದಕ್ಕೆ ಹೊರಟಿರುವುದು ಬಹಳ ಅಗ್ರಾರವಾಗಿ ಕಾಣುತ್ತಾ ಇದೆ. ಸಾಪೀಲ್ ಕೋಟ್ಯು ಬಂದು ಬಂಸುತ್ವವಾದ ನ್ಯಾಯಾನಾತ್ಮಕ, ಅದೇ ರೀತಿ ಹೆಚ್ಚಿನ ಕೋಟ್ಯು ಕೂಡ, ಅವರು ನಾಯಿ ದೃಷ್ಟಿಯಿಂದ ಮಾಡಿದಂತಹ ತೀರ್ಥ್ಯಾನರಗಿಗೆ ತಿದ್ದು ಪಡಿಯನ್ನು ತಂದು ಸುದುತ್ತಿದ್ದ ಮಾಡಿದಂತೆ ಮಾಡುವುದು ಸರಿಯಿಲ್ಲ. ಹೀಗೆ ಮಾಡಿದರೆ ಬ್ಯಾಪ್ತಿಯಿರಿಗೆ ಸ್ನಾತ್ಪೂರಿಸಿ ಕೊಟ್ಯುಹಾಗೆ ಅಗುವುದಿಲ್ಲ. ಧೇರ್ಯೋದೀಶಗಳಿಗೆ ಪಾರ್ಶ್ವ ಮೆಂಟ್ ಮಾಡಿದೆ, ಆದ್ದರಿಂದ ನಾವು ಮಾಡಬೇಕಾಗಿದೆ ಎಂದು ಹೇಳಿದಿಲ್ಲ. ಇದು ಕನ್ವರೆಂಟ್ ಲಂಸ್ಟ್ ನಲ್ಲಿ ಇದೆ. ಕಾನ್ವಸ್ಟಿಟ್ಯೂಷನ್ ನ ಅರ್ಧಕರ್

251ರ ಪ್ರಕಾರ:

“251. Nothing in articles 249 and 250 shall restrict the power of the Legislature of a State to make any law which under this Constitution it has power to make, but if any provision of a law made by the Legislature of a State is repugnant to any provision of a law made by Parliament which Parliament has under either of the said articles power to make.

(SRI P. V. AITHAL)

the law made by Parliament, whether passed before or after the law made by the Legislature of the State, shall prevail, and the law made by the Legislature of the State shall to the extent of the repugnancy, but so long only as the law made by Parliament continues to have effect, is inoperative."

ಅವರು ಮಾಡಿದ್ದ ಕೆಂಪಾವಾಗಿದ್ದರೆ ಅದು ಇನ್ನಾಂತರೆ ಅಗುತ್ತದೆ. ತಾವು ಅದು ಪಡಿ ಮಾಡುವುದು ನಾಯಾಯವಲ್ಲ. ತಮ್ಮ ಅದ್ದು ಪಡಿಯ ಪ್ರಕಾರ ಭೂಮಾಲ್ಕರಿಗೆ ಇವತ್ತನ ಮಾರ್ಪಣ ವ್ಯಾಪ್ತಿ ಸಿಕ್ಕಬೇಕಿಲ್ಲ.

The Act is not intended to freeze to land value. What you are doing now by validating is, you are giving compensation at the rate prevailing 6 or 7 years ago at the time of the notification although the payment is not made even today after the lapse of 6-7 years.

ಭೂಮಿಯ ಕ್ರಮವನ್ನು ಸ್ಥಿತಿ ಮಾಡಲಿಕ್ಕೆ ಎಂದು ಹೇಳುತ್ತೀರಿ, ಇದು ಸುಮಿಗ್ರಂತಿಗ್ರಂತಿಗ್ರಂತಿಗ್ರಂತಿ ದೊನ್ನ ಅಗುತ್ತದೆ ಎಂದು ಹೇಳುತ್ತೇನೆ.

MR. DEPUTY SPEAKER.—The House will now adjourn for half-an-hour.

The House rose at Three of the Clock to re-assemble at Thirty Minutes past Three of the Clock.

The House re-assembled at Thirty five Minutes past Three of the Clock.

(MR. DEPUTY SPEAKER in the Chair)

ಶ್ರೀ ಬಿ. ಎ. ವಿತ್ತಾರ್ಥ.—ಆಗ ಈ ಅದ್ದು ಪಡಿಯಲ್ಲಿ ಸರ್ಕಾರದವರು ಕೇಳಿರುವುದು ಏನೆಂದರೆ ಸರ್ಕಾರದವರಿಗೆ ಭೂಮಿಯನ್ನು ಅಕ್ಷಯಿಸಿ ಮಾಡಬೇಕೆಂಬ ಅಗತ್ಯ ಕಂಡಾಗಿ ಅವರು ಆ ಭೂಮಿಯನ್ನು ಇಲ್ಲ ಕೇಳಿರತಕ್ಕ ಕಲಂ ರಿಂದ ಪ್ರಕಾರ ಒಂದು ಸಲಕ್ಕಾದರೂ ಅಕ್ಷಯಿಸಿ ಮಾಡಬಹುದು, ಇಲ್ಲವೇ ಹೆಲವಾರು ಸಾರ್ಥಕಯಾದರೂ ಅದನ್ನು ಅಕ್ಷಯಿಸಿ ಮಾಡಬೇಕಾಗುವುದಕ್ಕೆ ಅದಿಕಾರ ಕೂಡಬೇಕೆಂದು ಕೇಳಿಕೊಂಡಿದ್ದಾರೆ. ಅದರೆ ಹಾಲ್ ಇರತಕ್ಕ ಸೆಕ್ಕನ್ 4 (1)ರ ಪ್ರಕಾರ ಹಾಗೆ ಭೂಮಿಯನ್ನು ಅಕ್ಷಯಿಸಿ ಮಾಡಿಕೊಳ್ಳಲು ಯಾವ ಕಾನೂನಿನ ಅತಿಂಥವು ಇರುವುದಿಲ್ಲ. ಅಫ್ಪಾ ಇಲ್ಲಯವರೆಗೆ ಯಾವ ಹೆಚ್ಚೆಂಟಾಗಲಿ ಅಧಿಕಾರ ಸುಮಿಗ್ರಂತಿಗ್ರಂತಿಗ್ರಂತಿಗ್ರಂತಿ ಸರ್ಕಾರದವರು ತಮಗೆ ಬೇಕಾಗತಕ್ಕ ಭೂಮಿಯನ್ನು ಒಂದೇ ನಾಂಗೆ ಅಕ್ಷಯಿಸಿ ಮಾಡಬೇಕೆಂದು ಹೇಳಿರುವುದಿಲ್ಲ. ಹಾಗದ್ದಿನೂ ಈ ದಿವಸ ಸರ್ಕಾರದವರು ಈ ಒಂದು ಅದು ಪಡಿಯನ್ನು ತಂದು ಸೆಕ್ಕನ್ ರಿಂದ ಪ್ರಕಾರ ಭೂಮಿಯನ್ನು ಹಲವಾರುಬಾರಿ ಅಕ್ಷಯಿಸಿ ಮಾಡಿಕೊಂಡು ಅದಕ್ಕೆ ಬಿರುಾಯನ ಕಾಲದ ಪದ್ದತಿಯ ಚೇರೆ ಜನರಿಗೆ ಪರಿಹಾರ ನೀಡಿ ಅವರಿಗೆ ಅದರಿಂದ ಎಷ್ಟೇ ಅನಾನುಕೂಲವಾದರೂ ಹಿಂತಯಿಲ್ಲ, ಸರ್ಕಾರದವರಿಗೆ ಮಾತ್ರ ಯಾವ ತೋಂದರೆಯೂ ಅಗಬಾರದಿಂದು ಹೇಳಿ ಇರನ್ನು ತಂದಿದ್ದಾರೆ. ಭೂಮಿಯನ್ನು ಅಕ್ಷಯಿಸಿ ಮಾಡತಕ್ಕ ಕಾರ್ಯ ಬಹಳ ಅಪ್ಪಿ ಅವಧಿಯಲ್ಲಿ ನಡೆಯುವುದಕ್ಕೆ ಅವಕಾಶ ಏದಿರೂ ಸರ್ಕಾರದವರು ಆಗ ಮಾರು ವರ್ಷಗಳ ಅವಕಾಶವನ್ನು ಏಕೆ ಇಲ್ಲ ತೋರಿಸಿದಾರೆ? ಹಳೆ ಸೆಕ್ಕನ್ 6 (1)ರ ಪ್ರಕಾರ ಭೂಮಿಯನ್ನು ಅಕ್ಷಯಿಸಿ ಮಾಡತಕ್ಕ ಸಂಭಾಧದಲ್ಲಿ ಪೀಲಿಯಿನರಿ ಕೆಲಸರ್ಕಾರ್ಯಗಳಿಗೆ 15 ದಿನಗಳು ನಾಕು. ಅಷ್ಟಿಂದ ಅದು ಸರ್ಕಾರಕ್ಕೆ ಹೊಗ್ಗಿ ಬರಲು ವಷ್ಟು ಕಾಲ ಬೇಕು! ಖೈನರ್ ಡಿಕ್ಟೇಷನ್ ಮಾಡುವುದಕ್ಕೆ ಏರ್ದು ಮಾರು ತಿಂಗಳ ಕಾಲವಾರೆ ಅದೇ ಹೆಚ್ಚು ಹಾಗ್ಗಿರುವಾಗೂ ಇಲ್ಲಿ ಮಾರು ವರ್ಷಗಳ ಕಾರಾವಕಾಶವನ್ನು ಕೇಳಿರತಕ್ಕಿಂದ್ದು ನರಿಯಿಲ್ಲ.

ଆ ଶାଶନକୁ ପଦେ ପଦେ ତିଦ୍ରୁଷଦିଗଳନ୍ତି ମାଦୁତ୍ତରେ ଜନ୍ମାରେ । 1963ରମ୍ଭ ବନ୍ଦାବତୀ ତିଦ୍ରୁଷ ମାଦିଦରୁ, ଅନଂତର 1964 ରମ୍ଭ ବନ୍ଦାବତୀ ମାତ୍ରେ 1965 ଆମେହିଁ 1966ରମ୍ଭ ବନ୍ଦୁ ନାରି ହେଲୁଣ୍ଟା ବିବହାବଜ୍ଞ ମାଦୁତ୍ତରେ ବନ୍ଦିଦାରେ । ଅଦରେ ଜଳ୍ଲିଯୁ ପରେଇ ଯାଏ ହୈଳୁଏଫ୍ସନ୍ତାଗଲି, ନୋପିର୍ମିଳ କୋଇଫ୍ସନ୍ତି ଆଗଲ ଜିପରୁ କେଇୟାତିର୍ଯ୍ୟପ ରିଏତିଯିଛି ମାଦବେଳେକେଂଦ୍ର ହେଲୁଣ୍ଟା । ଆଗ ମଧ୍ୟରୁ ପରାଗାଳ କାରାପକାତପନ୍ତି କେଇରତକେ ଦୂରମ୍ଭ ବିହଳ ଅପାଯୁବିଦେ । ଆ ଦିବନ ବହି ସେହିନ୍ତାକୁ ଅଧିକାରିଯୁ ଉବ୍ଦିରିଗ୍ରେ ବନ୍ଦୁ ନୋଇଏନ୍ତିନ୍ତି କୌଣସିରେ.....

"Show cause within 15 days why a tax of Rs. 1,000 should not be levied on you" எந்த கேட்டுதான்.

ಆ ವ್ಯವಹಾರ ತೀರುಪಡಕೆ ಅವನಿಗೆ ಮೂರು ವರ್ಷಗಳ ಅಕೂಶವನ್ನು ಕೊಟ್ಟಿರೆ ಆ ಶರ್ತಕನು ಆ ಅಧಿಕಾರಿಯ ಬಿಳಿ ಬಂದು ಅವನಿಗೆ ಬೆಳ್ಳಿ ಹಕ್ಕುಪುಡಕೆ ಅವಕಾಶಪಿರಲು ಅಂತ ಬಿಡನ್ನು ಮಾಡಿದ್ದಾರೆ. ಇಲ್ಲವೇ ಯಾವುದಾದರೂಂದು ಉದ್ದೇಶವನ್ನು ಮನಸ್ಸಿನಲ್ಲಿಟ್ಟು ಕೊಂಡು ಇವರು ನೈಲ್ಲಿಂಗಿನ್ನು ಕೊಟ್ಟಿರುವುದು ಮೂರು ವರ್ಷ ಕಾಲ ಹಾಗೆ ನುಮ್ಕನೆ ಕಾರಣರಿಂದೇ ಮಾಡುತ್ತಿದ್ದು. ಆ ವಾರ್ಷಿಕ ಕಾಂಗ್ರೆಸ್‌ನೇ ಎರಿಕ್ಕನ್ನೇ ಏನಾದರೂ ಬರುವಧಾರಿಗೆ ಅದಕೆಕ್ಕ ಲಂಘಿಸಿ ಹಣವನ್ನು ಪಡೆಯುವುದಕೆ ಅವಕಾಶ ಮಾಡಿಕೊಳ್ಳಬಹುದೆಂದು ಇಂದನ್ನು ಮಾಡಿದ್ದಾರೆಂದು ನನಗೆ ತೋರುತ್ತಿದೆ.

(ಶ್ರೀ ಮಿ. ವಿ. ಇತಾಳ)

ಇರುವಂತೆ ಜಿಡಿರೆ ಸರಿಯಾಗಿರುತ್ತದೆ. ನಾನು ಆಗಲೇ ಹೇಳಿದ ಬಣ್ಣ ಕ್ರೊ ಘ್ರಾಕ್ತರಿಮು ಬಗ್ಗೆ ಅದರ ಹತ್ತಿರ ಇರುವ ನುಮಾರು ಬಿದಾರು ಎಕರೆಗಳಷ್ಟು ಬೂಮಿಯನ್ನು ತಕ್ಕೆಗೆ ರೂಪಾದಬೇಕೆಂದು ಅಲ್ಲಿನ ಅಧಿಕಾರಿಗಳು ಈಗೆ ನೋಡಿದರೆ ಅದಕ್ಕೆ ನಂಬಂದಷಟ್ಟು ಸರ್ವೆ ನಾಬರೇ ಸಿಗಲ್ಲ. ಇರದಬಗ್ಗೆ ಯಾವ ವಿವರಗಳೂ ಈಗ ಸಿಗುತ್ತಿಲ್ಲ. ಈ ರೀತಿ ನತ್ಯಕ್ಕೆ ದೂರವಾದ ವಿಚಾರಗಳನ್ನು ಮಾಡುವದಕ್ಕೆ ಹೋಗಬಾರದು. ಇಂತಹ ತಿಷ್ಟಪಡಿಗಳನ್ನು ಮಾಡಲು ಹೋಗಬೇದಿ. ಇದರಲ್ಲಿ ರಾಜಕೀಯ ಕ್ಷೇಧಾಡಗಳು ಬರಲು ಅವಕಾಶವಾಗುತ್ತದೆ. ಇಂತಹ ಕೆಲನಗಳನ್ನು ಮಾಡಲು ಹೋಗಬೇದಿ.

(MR. SPEAKER in the Chair)

ಆಗ ಇದರಲ್ಲಿರುವ ಹೆಕ್ಕನ್ (6)ರ ಪ್ರಕಾರ ಮೂರು ತಿಂಗಳೊಳಗೆ ತೆಗೆದುಕೊಳ್ಳಬೇಕು ಮತ್ತು ನಬ್ಬ ಹೆಕ್ಕನ್ (3)ರ ಪ್ರಕಾರ ಮೂರು ವರ್ಷಗಳ ಕಾಲ ಎಂದು ಮಾಡುತ್ತ ಕಾಲಾವಕಾಶ ಹೆಚ್ಚು ಮಾಡಬೇಕೆಂದು “ಹೆಚ್ಚಿನ ಸೇವಿಂಗ್ ಡಿವೈಸ್” ಮಾಡುವದನ್ನು ನಾನು ಖಂಡಿತ ಬಂಪುಷ್ಟಿಲ್ಲ. ಹೀಗೆ ಮಾಡಿಯೇ ನಮ್ಮ ಬುದಿನ ಪ್ರಾಚೀನ್ ಶೇಲಸಾಗಳು ಅಗುಬುದಕ್ಕೆ ತೊಂದರೆಯಾಗುತ್ತಿದೆ ಮತ್ತು ಇಲ್ಲದ ಗೊಂದಲಗಳಿಗೆ ಅವಕಾಶವಾಗಿದೆ. ಅದುದಿರಿಂದ ಹೆಕ್ಕನ್ (6) ಅಗಿರುವಂತೆಯೇ ಇಲ್ಲ, ಇದನ್ನು ತಿದ್ದು ಪಡಿ ಮಾಡಲು ಹೋಗಬೇದಿ. ಆಗ ನೀವು ಏಕೆ ಮಾಡುತ್ತಿದ್ದಿರಿ ಎಂದರೆ, ನಿಮಗೆ ಬೇಕಾದವರನ್ನು ಇಲ್ಲ ಉಳಿಸುವದಕ್ಕಾಗಿ ಮಾಡಿದಂತಿದೆ. ಇದರಂತೆ ಮುಂದೆ ಯಾರೂ ಇದನ್ನು ತಡೆ ಹಿಡಿಯಲ್ಪಕ್ಕೆ ಬಿಡುವದಿಲ್ಲ. ಒಂದು ವೇಳೆ ತಾವು ಇದಕ್ಕೆ ಮೂರು ವರ್ಷಗಳಷ್ಟು ಹೆಚ್ಚಿನ ಕೊಡಬೇಕು ಎಂದು ಮಾಡಿದರೆ ಅವರಿಗೆ ಏನು ಪರಿಕಾರ ಕೊಡುವುದಕ್ಕೆ ಅಗುತ್ತದೆ? ಭೂಮಿಯನ್ನು ಪಡೆದುಕೊಂಡು ಮಾಲೀಕರಾಗಳಿಗೆ ಪರಿಕಾರವನ್ನು ಹೆಕ್ಕನ್ (6)ರ ಪ್ರಕಾರ ನೀವು ಕೊಡುವಾಗ ಯಾವ ರೇಖಣಲ್ಲಿ ಕೊಡುತ್ತಿರಿ ಎಂದರೆ ಹೆಕ್ಕಣ (4). (1)ರ ಪ್ರಕಾರ ಕೊಡುತ್ತಿರಿ. ಇದನ್ದಿಂದ ಶೈಲ್ಬಾ ರೈತರಿಗೆ ಅನ್ಯಾಯವಾಗುತ್ತದೆ. ಯಾವಧಾರದೂ ಒಂದು ನಾಯಿವಾದ ರೀತಿಯಲ್ಲಿ ಜನರಿಗೆ ಅನುಕೂಲವಾಗುವಂತಹ ಕಾರಾನುಗಳನ್ನು ಮಾಡಬೇಕು. ಇಂತಹ ತಿದ್ದುಪಡಿಯನ್ನು ತರುವದನ್ನು ನೀವು ಮೊದಲು ಕ್ಷೇತ್ರದಲ್ಲಿ ಬಿಡಬೇಕು. ನಿಮಗೆ ಅಕ್ಕೆರು ಮಾಡುವುದಕ್ಕಾಗುವುದಿಲ್ಲ ಎಂದು ಈ ರೀತಿಯಾಗಿ ಅಧಿಕಾರಿಗಳನ್ನು ಇಟ್ಟುಕೊಳ್ಳಬುದು ಸರಿಯಲ್ಲ. ಅಧಿಕಾರಿಗಳಿಗೆ ಇಮ್ಮು ಮೊಡ್ಡಿ ಅಧಿಕಾರವನ್ನು ಕೆಲವಾರದು. ಇದರಲ್ಲಿ ಮಾಡಿರುವಂತೆ ಮೂರು ವರ್ಷಗಳಷ್ಟು ಕಾಲಾವಕಾಶ ಹೆಚ್ಚು ಮಾಡಿದುದಿರಿಂದರೇ ವೆನ್ನ್ ಕೊಣ್ಸೆನಲ್ಲಿರುವ ನಮ್ಮ ಭಾಗದ ಎಷ್ಟೀಗೆ ಜನಗಳಿಗೆ ಬಿಹಳಿದೆ ಅನ್ಯಾಯಗಳಾಗಿದೆ ಮತ್ತು ಅವರ ಭೂಮಿಯನ್ನು ಬಿಲವಂತದಿಂದ ಕಸಿದೆಕೆಂದಿದ್ದಾರೆ. ಇಲ್ಲ ಸುಮಾರು ೬೦ನೇ ಇಸವಿಯಲ್ಲಿ ಮಾರುವಾದ ಅಕ್ಷಸೀಷನ್ ಕೇನು ಅವಾಡ್‌ ಆಗಿ ಬಂದು ಪ್ರಿಹಾರ ಕೊಡುವ ವೇಳೆಗೆ ಏನು ಮಾಡಿರು ಎಂದರೆ ಮೂರು ಸಾಮಿರ ರೂಪಾಯಿಗಳ ಅಸ್ತಿಗೆ ಮುನ್ನಿರು ದೂಪಾಯಿಗಳಷ್ಟು ಪರಿಕಾರದ ಹಳ ಎಂದು ಕೊಟ್ಟು ಅವರ ಭೂಮಿಯನ್ನೆರ್ಲ ಕೆಸಿದುಕೊಂಡಿದ್ದಾರೆ. ಅದುದಿರಿಂದ ಇಂತಹ ತಿದ್ದುಪಡಿಯನ್ನು ತರುವುದು ಆಗ ನಿರಿಯಲ್ಲ ಮತ್ತು ನಾನ್ಯ ನದನ್ಯರಾದ ಶ್ರೀ ತಿದ್ದುಪಡಿರುವವರು ಹೇಳಿದ ಹಾಗೆ ಹಾಗೂ ನಾನ್ಯ ಏರೋಧ ಪಕ್ಷದ ನಾಯಿಕರೂ ಹೇಳಿದ ಹಾಗೆ ಈ ಬಿಲ್ಲನ್ನು ಸೆಲಕ್ಸ್ ಕೆಮಿಟಿಗೆ ಕಳುಹಿಸಿ ಭಿನ್ನ ಮಾಲಕರುಗಳನ್ನೂ ಹಾಗೂ ಇತರನ್ನು ಕರೆಸಿ ಅವರ ಅಭಿಪ್ರಾಯಗಳನ್ನೂ ತೆಗೆದುಕೊಂಡು ಮುಂದೆ ನಿರಿಪಡಿಸಬೇಕು ಎಂದು ಕರ್ತಕಳಿಯಿಂದ ಇಲ್ಲ ಕೇಳಿಕೊಳ್ಳುತ್ತೇನೆ.

ಶ್ರೀ ಅಷ್ಟೇಜ್ ಸೆಪ್ಸ್ (ನರಸಿಂಹರಾಜ್).—ಸ್ವಾಮಿ, ಅಧಿಕೃತಲ್ಲಿ ನನ್ನಿಂದು ಒಂದು ವಿನಂತಿ. ನಿಮಗೆ ಇಲ್ಲ ಚರ್ಚೆಗಾಗಿ ತರುವ ಟಿರ್ಲಾಗಳಿಗೆ ನಡಸ್ತರು ಸರಿಯಾಗಿ ನೋಡಿ ಚರ್ಚೆ ಮಾಡಲು ಸಾಕಷ್ಟು ಕಾಲಾವಕಾಶ ಸಿಗುತ್ತಿಲ್ಲ. ಅದರಲ್ಲಿ ಆಗಾಗಲೇ ಕೆಲವು ಬಿಲ್ಲಾಗಳು ಇಲ್ಲಿಂದ ಪಾಸಾಗಿ ಆಕ್ ಗ್ಲಾಗಿವೆ. ಇದರ ಜೊತೆಗೆ ಕೆಲವು ವೇಳೆ ಇಲ್ಲ ಅವನರವರವಾಗಿ ಬಿಲ್ಲಾಗಳನ್ನು ತಂದು ಬೆಗ್ಗೆನೆ ಚರ್ಚೆಮಾಡಿ ಪಾನು ಮಾಡಿ ಎಂದರೆ ಅದಿರಿಂದ ಮುಂದೆ ತೊಂದರೆಯಾಗಿ ಕೆಲವು ವೇಳೆ ಹೆಚ್ಚೇರಿಗೆ ಹೋಗಿ ರಿಟ್‌ಗಳು ಬರುವ ನಂಬಂದಿರುತ್ತದೆ. ಆಗಾಗಲೇ ತಾವು ಹೇಳಿದ ಹಾಗೆ ಮಾನ್ಯ ನದನ್ಯರಾದ ಶ್ರೀದೂರಾ ಬಿತ್ತಾರ್ ರವರು ನುಡಿ ಮಾಡಿಕೊಂಡು ಬಿಡಿರುವಂತೆ ಇತರ ನದನ್ಯರಾಗಳೂ ವಿಚಾರ ಮಾಡಿಕೊಂಡು ಇದರ ಬಗ್ಗೆ ಇಲ್ಲ ಮಾತಾಡಲು ಸಿದ್ದಾಗಿದ್ದೀರೆ ಮತ್ತು ಅತಹ ನದನ್ಯರಾಗಳೂ ಹೆಚ್ಚು ಕಾಲಾವಕಾಶ ಕೊಟ್ಟು ಚರ್ಚೆಗೆ ಅವಕಾಶ ಮಾಡಿಕೊಡಬೇಕೆಂದು ತಮ್ಮನ್ನು ಕೇಳಿಕೊಳ್ಳುತ್ತೇನೆ.

Sri S. D. KOTHAVALA (Sankeswar).—Mr. Speaker Sir, I rise to support the amending Bill which is under consideration in the House. An

attempt is made to show that the amending Bill is an expropriation enactment and honourable citizens of this country will be deprived of their property without proper compensation. I submit, Sir, that the provisions that are sought to be amended are such that they are in the interests of both the public as well as the individual owners whose property is under acquisition. Hon. Members who spoke are not here unfortunately. They think that unnecessarily a long time is being taken for the purpose of acquisition and no adequate compensation was given. On both these counts, this amendment is an improvement. That is what I am going to say regarding the provisions which are sought to be put into the main Act.

In the Central Act, there is no time limit for the purpose of acquisition. That fact may be noted. The amendment of the Central Act is contained in the Mysore Act, 1961, which is in force. That amended Act also does not provide any time limit. Whether it is one declaration to be made under Section 6 or two or three, that is a matter of detail; but there is nothing to prevent in definite time. Therefore, it may be seen that there is no time limit placed for the purpose of issuing declarations under Section 6, as the law stands. Here there is an advance. Some important matters are escaping our attention. When there was absolutely no time limit for issuing the first declaration under Section 6, here the provision is made that within a maximum time of three years any number of declarations can be made. In no case, that period should exceed three years. That is a very salutary provision that is being introduced here. There is one question of extending the time or giving unlimited time. But the time which was unlimited has been limited by the amending provision. That is an advance in the interests of the individual owners.

The second point I am putting before the House is that in the case of provision of clause 3 regarding the pending proceedings, about which notification under Section 4(1) are issued prior to the coming into force of this amending Act, it may be seen that it will have to be completed within two years from the date this amending Act comes into operation. Therefore, regarding pending proceedings, time of only two years is given. In the case of new proceedings three years time is given. There is great improvement upon the existing law.

Thirdly, in case acquisition is not finished within three years from the date of the coming into force of this Act, interest of 6 per cent on the compensation amount, as determined under the law, has to be paid from the time of the expiration of three years, from the date of the first notification. I shall give an illustration. The payment of interest does not relate to proceedings which ought to come into operation after the commencement of this Act. Supposing a notification is issued in the year 1960, and it is still pending and it is 7 to 8 years old. Under the provisions of this Act, interest at the rate of six per cent is payable from 1963 under this Act. Here is a provision which makes provision for payment of interest on compensation in which there is delay in making declaration under section 6 and taking decision. Here is a new provision,

(SRI S. D. KOTHAVALA)

under Article 31 of the Constitution reasonable compensation has to be paid for property acquired. So, here is a provision for completion of acquisition proceedings quickly and expeditiously to allow interest in case of delays.

These are the provisions. They are in the interests of the individual and no loss is being caused to him. Indefinite time was permitted formerly. A time limit is put now. This matter may be viewed from another stand point. A suggestion was made for referring the Bill to the Select Committee. This is a very simple measure. The time involved in the deliberations of the Committee, may not be good enough for the purpose of dealing with this Bill. By the time it finishes its labours this session is likely to be adjourned and in the mean while the purpose with which this is meant to be enacted, will be defeated.

These amendments have been necessary in the light of the judgment given by the High Court. When once a notification is issued under section 4(1) of the Act, declaration is made. Under the existing provisions, no second declaration can be made. If these were to prevail, many notifications, many acquisition proceedings are likely to be affected and they become invalid. Think of the loss to the public exchequer. The law should protect the interests of the state as well as the interests of the people or the individuals concerned. I think some of the hon'ble members, who spoke belong to the P. S. P. and the Janatha Congress Party, have sympathy for the Socialistic pattern of Society. Hon'ble member Aithala belongs to the P. S. P. All of them think and talk of socialism. I do not understand them when they lay undue emphasis on the interest of individuals. While stressing on public interest, I know individual interest should not be sacrificed ; they should be safeguarded. But public interest too has to be safeguarded. Public funds should be sufficiently protected. Here the pending proceedings are reaching a stage of completion. At this stage, if something happens to invalidate the proceedings, is it not the duty of the House to pass legislation even with retrospective effect to validate them ? We are not the only one who are doing it. The Parliament has amended the Central Land Acquisition Act on these lines. This amendment is practically a copy of the amendments effected by the Parliament. We are doing nothing new. The matter was discussed there in detail. They have taken all pros and cons into consideration before passing the amendments. This Bill is for the purpose of amending the original Act. Therefore, we are doing absolutely nothing new.

I hope, in view of all these considerations, this hon. House will pass the Bill without much debate and thus guard the interests of both the public and the individual owners whose lands are sought to be acquired.

4.00 P.M.

Sri M. NAGAPPA (Raichur).—Sir, I oppose this Bill for these reasons. Firstly because, as has been stated in the Statement of

Objections and Reasons, certain amendments to the original Act have been made by the Parliament and similar amendment to the same Act has been adopted by the Mysore Government. In view of that, I do not think that this amendment is necessary. Secondly, I consider that this amendment may also be repugnant to the Constitution because it contravenes so far as article 254 (2) is concerned. If you read proviso to clause (2) (i) it says :

“ Provided that no declaration in respect of any particular land covered by a notification under sub-section (1) of section 4, published after the commencement of the Land Acquisition (Mysore Amendment and Validation) Act, 1967 shall be made after the expiry of three years from the date of such publication”.

There is no time limit fixed under the Central Act to make another declaration under section 6, whereas, if you read this proviso, it fixes a period by a Notification between the Notification made under section 4 (1) and declaration that is to be subsequently made under section 6 of the Act. Therefore, if this proviso is going to be added, is to be to the main section 6 of the original Act, not only to section (6) 1 (A). If you see by the very words, it is not a proviso to 1 (a) but is a proviso added to the main section i.e., 6 of original Central Act. Therefore, I submit that it is contravening article 254 (2) of the constitution.

Secondly, it is the right that has been vested in the citizen of India that if he is to be deprived of his property, it must be according to law. The amendment that has been brought is not to safeguard the interest of the Indian citizen or the persons who are deprived of their property but only to minimise the difficulty that may arise to Government. The Government is not particular about the difficulties and the rights of the individual persons who may suffer by this amendment. They want this amendment only with an intention that it should give some leniency to Government that is within the prescribed period of three years, it can declare in piecemeal whatever lands they are going to take in bits and at different times. Therefore, I submit that this is not in the interest of those persons who are deprived of their property, but in the interest of the Government work.

Then, Sir, I oppose particularly this Explanation. It is very mischievous. If a case continues for ten or fifteen years; after that period another three years are taken. They want to take three years more even after the ending of the case. Therefore, that is also very dangerous. In view of all this, it is not a progressive one as stated by Hon'ble Minister but it is interfering with the normal functions of the citizen of Mysore State and I therefore request all the members to vote it down.

Besides, I also support the view of the hon'ble Leader of the Opposition. He suggested that it should be referred to a joint Select Committee. I also propose the same.

† Sri L. SRIKANTIAH (Nanjangud).—Sir, on the previous occasion I drew the attention of the hon'ble Minister to one important lacuna in this. The Land Acquisition Act contemplates two stages; one, the Notification under section 4 and a declaration under section 6. On that I posed: ‘let us imagine that under section 4, a notification is made acquiring an extent of 100 acres in survey No. 4. Subsequently, a declaration is made stating that out of 100 acres only 20 acres are necessary.’ This Bill contemplates that in one notification made under section 4, subsequently declarations can be made under section 6 to acquire the remaining extent of 80 acres. I raise the doubt that if under the first declaration 20 acres are acquired, the land owner is under the belief that 80 acres are not wanted. Later on under this amending Bill, a subsequent declaration is allowed to be made. The difficulty would be, what should be the fate of that man? That aspect is clearly dealt with by a lucid judgement of the Lordships of the Supreme Court. I want to read only that portion that is necessary in this connection :

“ There is nothing in Sections 4, 5-A and 6 to suggest that S. 4 (1) is a kind of reservoir from which the government may from time to time draw out land and make declarations with respect to it successively. If that was the intention behind sections 4, 5-A and 6 one would have found some indication of it in the language used therein. But on reading these three sections together one can only find that the scheme is that S. 4 specifies the locality, then there may be survey and drawing of maps of the land is adapted for the purpose for which it has to be acquired, followed by objections and making up of its mind by the government what particular land out of that locality it needs. This is followed by a declaration under S. 6 specifying the particular land needed and that completes the process and the notification under S. 4 (1) cannot be further used thereafter. At the stage of S. 4 the land is not particularised but only the locality is mentioned; at the stage of S. 6 the land in the locality is particularised and thereafter it seems that the notification under S. 4 (1) having served its purpose exhausts itself. The sequence of events from a notification of the intention to acquire S. 4 (1) to the declaration under S. 6 unmistakably leads one to the reasonable conclusion that when once a declaration under S. 6 particularising the area out of the area in the locality specified in the notification under S. 4 (1) is issued, the remaining non-particularised area stands automatically released.

This is the most important sentence. The next paragraph reads as follows :—

“ Even if the government is not able to make up its mind all at once about its requirements of land there is nothing to prevent the government from issuing another notification under

S. 4 followed by a notification under S. 6. The government's power to acquire land in a particular locality is not exhausted by issuing one notification under S. 4 (1) followed by a notification under S. 6. It can proceed to do so by a fresh notification under S. 4 (1) and a fresh declaration under S. 6. Such a procedure would be fair to all concerned; it will be fair to government where the prices have fallen and it will be fair to those whose land is being acquired where the prices have risen."

In view of this judgement it follows that if once a declaration under Section 6 is made and the released land to the extent of 80 acres is resumed by the land lord—supposing for a factory or some such thing—and later on if after 3 months the Government issues another declaration, what should happen to the fate of the man? Therefore, their Lordships have correctly held that it will be correct to give land under Sections 4, 5 and 6, and it will be incorrect to give land by this amending Bill. What happens is that a Democles sword will be hanging on the owner and there will be no finality with regard to it. By resorting to this amending Bill, the Government can resort to Section 4 and again to a declaration under Section 6. When once he particularises a portion for a factory or some such thing, my objection is that this amending Bill leads to mischief in as much as there is no certainty in it.

Sri S. D. KOTHAVALA.—This is a sort of a boon wherein a time limit of 3 years is enforced!

Sri L. SRIKANTIAH.—This time limit is intended with respect to a locality notified under Section 4, and subsequent declarations can be made within 3 years and not an omnibus time limit that the acquisition should be completed within 3 years. Therefore, it is an important matter and it is but natural that this matter should be looked into by a Joint Select Committee, and I request the Hon'ble Revenue Minister not to push this hurriedly, because some important points are raised by the Supreme Court, and to agree to refer this to a Joint Select Committee. With these few remarks I oppose this amending Bill.

Sri DIGAMBAR RAO B. KALMANKAR (Aland).—Mr Speaker, Sir, the amending Bill that is placed before the House is against the very spirit of the judgement of the Supreme Court in 1966. As has been pointed out by my learned friend Sri Srikantaiah that all the sections are to be read together, and the pronouncement by the Supreme Court will have the effect of law.

Mr. SPEAKER.—That is the interpretation of law.

Sri DIGAMBAR RAO B. KALMANKAR.—Such being the case, by bringing in this amendment, they want to validate certain things that have been invalid and they want to escape from the effect of those provisions. In the amending Bill it is stated that if the property of a citizen is required for public purpose, the Government can resort to

(SRI DIGAMBAR RAO B. KALMANKAR)

declarations to be made in piecemeal of the property which are covered under Section 4 (1). As per Section 4 (1), suppose a declaration is made regarding four Survey numbers, a notification is there for four survey numbers, and subsequently a declaration is made under Section 6 regarding only one Survey number. Naturally, as a result of this Ruling, the other three numbers will be released. But by this amending Bill, these three numbers are also affected by a Notification Under Section 4 (1), the Government can resort to some more lands as and when required. Under the clause, three years period is also given. If that is the case, what will happen is this because the Notification under Section 4 (1) is issued at a particular time and again the Notification under Section 6 is issued at a different time, the citizen will be affected with regard to the payment of compensation. This point will have to be taken into consideration. As it is well-known to the House, in these days the value properties are going high, and in case the properties that are declared to be taken in instalments are to be taken at the same rate when the notification was issued under Section 4 (1), there is every possibility of loss being caused either to Government; or to the citizen as prices may come down or prices may go up. What we have to do in a proper legislation is to strike a balance between the conflicting interest of the State and also an individual. It is shame to say that it goes against the principles of democratic socialism and any individual may be expropriated on the sweet will of the State which does not adopt any principles of law or of jurisprudence. There is also a possibility that much mischief will be made by the Government at the times of election. This Amending Bill is much against the principles of democracy and fundamental rights. It goes against the interest of an individual. Therefore, I oppose it emphatically.

ત્રીંબ. રાદેશ્ય (કંદારાય તાખેંય મંતૃિગળું).—સાચામાણિ, વાન્ય સભેંયલ્લ ભૂલાસાધીન વાદિકોછુંતક્ષેંથ અ તિદ્દુષ્પદે મનુદેય મેલે જેફે વાદિદ્દંધ વાન્ય સદ્દસ્યર વાદસરલોયન્નુ નાનુ બકલ કુશાળ હપલદિંદ કેલીદે. બાજુયાંકવારિયાં કેલારાય નલકેગસનું કોષ્ટંથ વરીં નસ્તુ ધર્યેંવાદગલું. અ મનુદેય મેલે જીઝેલું દીઘુફકાલી જેચે-યાગાંત્ર્યેંદ્ર નાનુ ભાવિશરલ્પુ. ‘વિકેંદ્રે જીદુ અત્થુંત સરલવાદંધ નુલભવાદંધ એપ્લરૂ બફ્ફીકોછુંથંદ નણ્ણ મનુદેયંદુ નાનુ ભાવિશકેંદ્રીદીદે. આદરા કાંડ અ તિદ્દુષ્પદે મનુદેય રાદ્યાંગકેંધ વિરુદ્ધ વાાદે, અ બાગ્ય કેંદ્રીને સકાર બંદ તિદ્દુષ્પદે વાદિનેલે જ્ઞાન્ય પ્રસ્તુત તિદ્દુષ્પદે વાદુષ્પદેકેંથ બિરુષુદીલ અન્યુંતક્ષેંથ બંદ વાદવન્નુ વાન્ય સદ્દસ્યરાગસુ ઇણ્ણાર્દી. એરદનેયાદાગિ માંલા વાદસરાંથ એંદુ એનુ ગોતું વાદિદીએરિ અદુ આગિરવ કાલ કુંત કેચુંગિદેયેંદુ હેલારારે. વાલાનેયાદાગિ જદુવરેંગે યાદ યાન ભૂમિ યન્નુ સાચુંનેવાદીનેવાદીનીકોંદીએરી. આદરાલી એનાબરાં તસ્વારિદીરે, અ તક્ષેનું સિરાજાદી કોછુંધુદેકેંથ તિરુગુ માંયારુગુ વાદિ અ તિદ્દુષ્પદેયન્નુ તંદિદીએર એંદુ હેલીદરા. નાલ્ય નેયાદાગિ ર્યુંતરીંગે નાયાદંધ પત્રકાર કોદચેકેંદુ તેમાગે ઇણ્ણેયુદ્ધરે અ રિએત તિદ્દુષ્પદે તાંદુ ર્યુંતર હરણુંભાદ્યતેગલન્નુ કોષ્ટક વાદિ અવરીંગે સાકચ્છું હેણેન પત્રકાર દેલોરકંઠ દ૊યાદુ ત્રિરલ્પુંથંદ હેલીદરા. વેલેદુનેય દાગિ કેંદ્રીને સકાર દેવરુ ભૂલાસાધીન વાદિકોછુંલા બંદ કાનુનન્નુ વાદિકોંદીવાર્દી. અદે કાના નાનું નાનું નાનું હેણુનો઱ા નાનુન્નુનેકેંથ અલેવાદીસિકોંદીલ્પુ. નાનું સંકાન્ધનેકેંથ નંયંદ

ಶ್ರೀ ಪಿ. ಎಂ. ಬಿತಾಕ್. — ತಾವು ಏರ್ಪಾಡು ಸೇಕ್ಕನ್ ಗಳನ್ನು ನಮ ನೆರುಹಾಗಿ ಒದಿ ನೋಡಿ ?

ಶ್ರೀ ಬಿ. ರಾಕುಮಾರ್ಯ.—ನಾನು ಏರ್ಪಾತ್ರ ಸೈಕ್ಕಲ್‌ಗಳನ್ನೂ ನಡೆ ಬಿಡೀವೇನೇ. ಇಂದ್ರಿ ದಿನಗಳಲ್ಲಿ ಇಂಷ್ಟಿ ವಾರಗಳಲ್ಲಿ ಇಂಷ್ಟಿ ತಿಂಗಳುಗಳಲ್ಲಿ ಹೆಚ್ಚಿಕೆಯನ್ನು ಕೊಂಡೆಂದೇ ಮುಹ್ಯ ಹೇಳು. ಈ ನಭಿ ಯಾವೀ ಅನೇಕ ಜನ ವರ್ಚಿಲರಿದ್ದಾರೆ. ಅವರ್ಪಾತ್ರ ಬಿಡಿದಾರೆ.

ಶ್ರೀ ಪಿ. ವಿ. ಇತಾಳ.—ಸೆಕ್ರೆಟರ್ ನೇ ಸುಮಾರು ಒದಗಿನೋಡಿ,

ಶ್ರೀ ಬಿ. ರಾಜೇಶ್ವರಿ.—ನಾನು ಒಂದಿದ್ದೇನೇ. ಅದು ಒಂದೊಂದರೆ ಹೈಫೋ ಇದೆ. ಆಗ ನಮ್ಮು ಏಲ್ಲ. ತಿಗಿರುವ ವಳೆಯು ಕೇನಸ್‌ಗಳ ಬಗ್ಗೆ ಪ್ರಕಟಣೆಯು ನಂತರ ಓ ವರ್ಷದಲ್ಲಿ ಹೇಳಿಕೆ ಕೊಡಲು ನಮ್ಮು ಯಿದೆ.

4-30 P.M.

ଆଗ ହିରକୁଣ୍ଡ ହେଲିଦିଅଙ୍ଗୀ କେନ୍ଦ୍ରୀୟ ମୂଳରୁ ପରିଷାଳିତାକାରୀ ମୁଖ୍ୟମୁଖ୍ୟେ
ଏବଂଦିନେ ଭାରାତୀୟାଧିନ୍ଦିନ କେନ୍ଦ୍ରୀୟ ଗୁରୁ ବିଶ୍ୱାସ ମୂଳରୁ ପରିଷାଳିତାକାରୀ ଫେରୁନାହିଁ ନୋଇଛିକେଣ୍ଠନ୍ତି
ମାତ୍ରାବେଳୀକୁ ଏବଂଦୁ ଜୀବିତ କାରାନ୍ଦାନୁ ଜାରିଗେ ବିନିମୟ ମେଲି ଏବଂଦୁ ପରିଷାଳିତାକାରୀ
ଫେରୁନାହିଁ ନୋଇଛିକେଣ୍ଠନ୍ତି ମାତ୍ରାବେଳୀକୁ ଏବଂଦିନେ ବିନିମୟ ମେଲି ଏବଂଦୁ
ଯୁଦ୍ଧରୁ ଅତ୍ୟନ୍ତରୁ ଆଶିନ୍ଦାରୁ ରେ ହେଲିଦିଅଙ୍ଗୀ କେନ୍ଦ୍ରୀୟ ଏବଂଦିନେ 1960 ନେ ଜୀବିତିମୁଲି 4(1) କରିବାରୁ

(ಶ್ರೀ ಬಿ. ರಾಜೇಯ)

ಪ್ರಕಾರ ಪ್ರಕಟನೆ ಹೊರಡಿಸದೇ ಇದ್ದ ಪತ್ತೆದಲ್ಲಿ ಫ್ರೆನ್ಸ್‌ ನೋಟಿಫಿಕೇಶನ್‌ ಅಗ್ವೇ ಇವೆಯೇ ಇನ್ನು ಏರದು ವರ್ಷಗಳಲ್ಲಿ, ಅಂದರೆ 1969ರ ಒಳಗಾಗಿ ಫ್ರೆನ್ಸ್‌ ನೋಟಿಫಿಕೇಶನ್‌ ಸೇಕ್ಸನ್‌ ರಿಂದ ಪ್ರಕಾರ ಪ್ರಕಟಣೆ ಮಾಡಬೇಕು ಎಂದು ಹೇಳಿದೆ. 1960 ರಿಂದ 1963 ರ ವರ್ತಗೆ ಕೂರ್ತಾ ಇದ್ದು 1969 ರ ಒಳಗಾಗಿ ಕಾಂಪಾನೇಷನ್‌ ಮೊತ್ತಕ್ಕೆ 6 ಪ್ರೆಸೆಂಟ್‌ ಬಿತ್ತಿ ಸೇರಿಸಿ ಕೂಡಬೇಕು ಎಂದು ಮಾಡಿದ್ದೇವೆ. ಭಾವಾಲ್ಯಾಕ್ರಿಗೆ ತೇಕೆದ ಗ್ರಂಥ 6 ರಚ್ಯಾ ಬಿಷ್ಟಿ ಕೊಡುವುದು ಹೊರವಾಗಿ ಸೈರಿಗೆ ದ್ವೇಷ. ಭಾವಾಲ್ಯಾಕ್ರಿಗೆ ತೇಕೆದ ಗ್ರಂಥ 6 ರಚ್ಯಾ ಬಿಷ್ಟಿ ಕೊಡುವುದು ನಿರಾವಾದು ಕೂಡ ಬಿಷ್ಟಿ ತಲ್ಲಿಪಲ ಎಂದೂ ಕೊನೆಯ ಪತ್ತೆ ಮೂಲು ವರ್ಷಗಳ್ಲಿ ಇವನ್ನು ಮಾಡಿಕೊಂಡಿರುತ್ತಾರೆ. ಕೂಡ ಬಿಷ್ಟಿ ತಲ್ಲಿಪಲ ಎಂದೂ ಕಾಂಪಾನೇಷನ್‌ ಗೊತ್ತು ಮಾಡಿದ್ದೇವೆ. ಅರು ತಿಂಗಳು ಅಥವಾ 8 ತಿಂಗಳೊಳಗಾಗಿ ಇಲ್ಲವೇ ಒಂದು ವರ್ಷದೊಳಗೆ ನಿರಾವಾದು ಎಂದು ನರಪಾಲಕ ಉದ್ದೇಶಿಸಿದೆ.

ಶ್ರೀ ಎಚ್. ಸಿದ್ದುವೀರಪ್ಪ.—ಆರು ಪರ್ಸೆಂಟ್ ಬಿಷ್ಟಿ ನಿರುಗೆ ಸಿಕ್ಕುತ್ತದ್ದೆನು?

ಶ್ರೀ ಬಿ. ರಾಜೇಯ.—ಹೀಗೆ ಕಾಯಿದೇ ಪ್ರಕಾರ 4 ಪರ್ಸೆಂಟ್ ಇದ್ದು ಮನ್ಯ ಈಗ 6 ಪರ್ಸೆಂಟ್ ಮಾಡಿದೆ. ಹಿಂದಿನ ಕಾಯಿದೆಗಂತೆ ಇದು ಖಾತ್ರವಾಗಿದೆ. ಇದ್ದಲ್ಲದೆ ಕಾಲಾವಧಿಯನ್ನು ಕೂಡ ಗೊತ್ತು ಮಾಡಿದೆ. ಮಂಗಳ ವರ್ಷದೊಳಗೆ ಫ್ರೆನ್ಸ್‌ ನೋಟಿಫಿಕೇಶನ್‌ ಮಾಡುವುದಕ್ಕೆ ಸಂಭರ್ಷ ಬುದಿರೆ ಅವನ್ನು ಕ್ರಾನ್‌ರ್ ಮಾಡಿ 4(1) ಪ್ರಕಾರ ಹೀಗಾಗೆ ಪ್ರಕಟಣೆ ಮಾಡಬೇಕು ಎಂದು ನಿಗದಿಮಾಡಿದ್ದೇವೆ. ಕೋಣ್ಟಿಂಗ್‌ ಹೋಂಡಂ ಕಾಲುವಿವರೆ ಅವನ್ನು ಲೆಕ್ಕುಕ್ಕೆ ತೆಗೆದುಕೊಳ್ಳಬಾರದು. ಕೋಣ್ಟಿಂಗ್‌ನ ಕಾಲಾವಧಿಗೆ ಬಿಡ್ಡಿ ಹೊರವಾರದ್ದು ಎಂದು ಇವರಲ್ಲಿ ಸೇರಿಸಿದ್ದೇವೆ. ಹೊಸ್ತುಶಾರು ಸಂರಕ್ಷಣೆ ವಿಭಾಗ ಕಾರ್ಯಾಗಳ ಬಗ್ಗೆ ಭಾ ಸ್ವಾಧೀನ ಮಾಡಿಕೊಳ್ಳಬೇಕಾಗಿದೆ. ಸಾರ್ವಜಿನಿಕ ಸಂಕ್ಷೇಪ ಹಿತಕೊಳ್ಳುವ ಸರಕಾರ ಈ ಕೆಲಸ ಮಾಡಬೇಕಾದ ಪರಿಸ್ಥಿತಿ ಬಿಂದಿದೆ. ಇಂದ ಸಂಭರ್ಷದಲ್ಲಿ ದೊಡ್ಡ ದೊಡ್ಡ ಭಾವಾಲ್ಯಾಕ್ರಿಗ್ ಕೂಡ ಭಾವಾ ಕಳೆದುಕೊಳ್ಳಲ್ಲಿ ತಯಾರಾಗಿರುವುದಿಲ್ಲ. ಬಿನಾವರೂ ತಕರಾರು ಹಾಕಿ ಭಾವಾ ಉಳಿಸಿಕೊಳ್ಳುವ ವರ್ಕ್‌ ಕೋಣ್ಟಿಂಗ್‌ ಹೋಗ್ಗು ತಾತ್ತ್ವಾರ್ಥ. ಕೆಲವು ಸಂಭರ್ಷದಲ್ಲಿ ನಮ್ಮೆ ಯೋಜನೆಯು ಕೆಲಸ ನಿರ್ವಹಣೆಯಾಗುತ್ತದೆ. ಒಟ್ಟನ್ನೀಲ್ಲ ನಮ್ಮೆ ಯೋಜನೆಯ ಕೆಲಸ ಸಕಾಲದಲ್ಲಿ ಮಾಡಿ ಪ್ರಾರ್ಥನೆ ಮಂದಿ ಕಾಲ ಪರಿಮಿತಿಯ ಪರಮಾವಧಿ ಅವಕಾಶ ಇಲ್ಲವೇ ಇಲ್ಲವೇ ಮಂದಿ ಪ್ರಾರ್ಥನೆ ಮಾಡಬೇಕಾಗಿದೆ. ಅದುದಂತಹ ಏರದು ವರ್ಷ ಮಂಗಳ ವರ್ಷ ಎಂದು ಅವಧಿ ಗೊತ್ತು ಮಾಡಿದ್ದೇವೆ. ಇದಲ್ಲಿನ ಬಿಡ್ಡಿ ನಿಸ್ಟ್ಯಾಕ್ ನಿರ್ವಹಣೆ ಮಾಡಿದ್ದೇವೆ. ಹಿಂದಿನ ಕಾಯಿದೆಗಂತೂ ಈ ಹೊಸ ಕಾಯಿದೆಯಿಂದ ರೈತರಿಗೆ ಸ್ವಲ್ಪ ಮಾಡಿ ಗೆ ಅನುಕೂಲವಾಗುತ್ತದೆ. ಸಾರ್ವಜಿನಿಕ ಕಾರ್ಯಾಗಳಿಗೆ ಬೇಕಾದಂಥ ಭಾವಾವಿಯನ್ನು ಸ್ವಾಧೀನ ತಡಿಸಿಕೊಳ್ಳಲು ಸ್ವಲ್ಪ ಮಾಡಿ ಗೆ ಇರಿದಿರುತ್ತದೆ. ಈಗ ಇರತಕ್ಕ ಭಾ ಸ್ವಾಧೀನ ಕಾನೂನಿನಲ್ಲಿ ಅನ್ವಯ ತೊಂದರೆಗಳಿವೆ. ತಮ್ಮ ಪತ್ತೆದ ಜನರಿಗೆ ಅನುಕೂಲ ಮಾಡಿ ಕೊಡುವ ದೃಷ್ಟಿಯಿಂದ ಮತ್ತು ತಮಗೆ ಬೇದ್ದಾದವರಿಗೆ ಕರುಕುಳ ಕೊಳ್ಳಲ್ಲಿ ಅನಾನುಕೂಲ ಮಾಡುವ ಇಚ್ಛೆಯಿಂದ ಈ ರೀತಿ ಮಾಡಬಾಗಿದೆ ಎಂದು ನಮ್ಮೆ ಮೇಲೆ ಕೆಲವರು ಅರ್ಥಾತ್ ಮಾಡಿರು. ಅದರೆ ನಮ್ಮೆ ಸಂಸ್ಥಾನದಲ್ಲಿ ಭಾ ಸ್ವಾಧೀನ ಮಾಡತಕ್ಕಂಥವರು ಬಹಳ ಜನ ಅಧಿಕಾರಿಗಳಿದ್ದಾರೆ. ಎಲ್ಲರೂ ಈ ರೀತಿ ತಮ್ಮ ಅಧಿಕಾರವನ್ನು ದುರಪಶ್ಯೋಗ್ ಮಾಡಿಕೊಳ್ಳುತ್ತಾರೆಂದು ನಾನು ಭಾವಿಸಿ ಕೊಂಡಿಲ್ಲ. ಈಗ ಈ ಕೆಲಸ ತೀವ್ರ ಗತಿಯಿಂದ ಅಗಬೇಕಾಗಿದೆ. ಕೆಲವು ಅನಿವಾರ್ಯ ತೊಂದರೆಗಳು ಬಿಂದುತ್ತವೆ. ಮಂಗಳಾರು ಬಂದರದ ವಿಷಯದಲ್ಲಿ ಭಾ ಸ್ವಾಧೀನ ಮಾಡಿಕೊಳ್ಳುವುದಕ್ಕೆ ಇರತಕ್ಕ ತೊಂದರೆಗಳನ್ನು ಕೆಲವು ಸದಸ್ಯರು ಈ ಸಭೆಯ ಮುಂದೆ ಇಷ್ಟಿದ್ದಾರೆ. ಇದರ ಬಗ್ಗೆ ಸೂಕ್ತ ಕೆಂಪು ತೆಗೆದುಕೊಂಡು ಕಾಗಡ ಪತ್ತೆಗಳನ್ನು ರಳಸಿಕೊಟ್ಟಿದ್ದೇವೆ. ಚೊದಲನೇ ಹಂತದಲ್ಲಿ 1,300 ಶಿಲ್ಲರ ಎಕರೆ ಅಕ್ಕ್ಯೂರ್ ಮಾಡಿ ಏರದನೇ ಹಂತದಲ್ಲಿ 836 ಎಕರೆ ಭಾವಾ ಬುಂದಾಗೋಸ್ಮಾರ ಭಾ ಸ್ವಾಧೀನ ಮಾಡಿಕೊಳ್ಳುವುದಕ್ಕೆ ಸೂಕ್ತ ಕರ್ಮ ತೆಗೆದುಕೊಳ್ಳುತ್ತಾ ಇದ್ದೇವೆ. ಇಷ್ಟು ವಿಸ್ತೀರ್ಣ ಜಾರ್ಮಿನ್ಸ್‌ ನಿರ್ವಹಣೆ ತಡಿಸಿಕೊಳ್ಳಲ್ಲಿ ತಕ್ಷಿಂದ ಕಾಲದಲ್ಲಿ ಹೆಚ್ಚಿನ ಪ್ರಮಾಣದಲ್ಲಿ ಭಾವಾಲ್ಯಾಕ್ರಿಗೆ ಪರಿಹಾರ ಇನ್ನೂ ಕೊಟ್ಟಿಲ್ಲ ಎಂದು ನನಗೆ ಅನಿಸುತ್ತದೆ. ಅದರೆ ಸೂಕ್ತ ಪತ್ತೆಕಾರ ಕೊಡುವುದಕ್ಕೆ ವ್ಯವಸ್ಥೆ ಮಾಡಿದ್ದೇವೆ. ಒಂದು ಕೆತ್ತಿಯಂದ ಇನ್ನೂಂದು ಕಡೆ ಹೋಗ್ಗೆ ನೇರಿಸಲು ಪುರರ್ ವರತ ವ್ಯವಸ್ಥೆ ಮಾಡಲು ಎಲ್ಲ ಕರ್ಮ ತೆಗೆದುಕೊಳ್ಳಲಾಗಿದೆ. ಅವರ ಸಾಮಾನು ಸಾಗಾಣಿಕೆ ಕೂಡ ಲಾರಿ ಸಾರ್ಕೆರ್ಯೂ ಬಿಡಿಸಿ ಕೊಟ್ಟಿದ್ದೇವೆ. ಪುರರ್ ವರತಿಗೆ ನೇರಿಸಾಗಿ ಹೇಳಿ ಹೊಸ ಸ್ವಲ್ಪದಲ್ಲಿ ವ್ಯವಸ್ಥೆ ಮಾಡುವಾಗ್ಗೆ ಶಾಲೆ ಕಟ್ಟಿದ ಮುಂತಾದ ಅನೇಕ ರೀತಿಯ ಸ್ವಲ್ಪಭೂಗಳನ್ನು ನಿರ್ವಹಣೆ ಕೊಟ್ಟಿದ್ದೇವೆ. ಮೇಲುಶಾರು ಸಾರ್ಕಾರನೇಕ್ಕೆ ರಾಜ್ಯದ ಹಿತ ದೃಷ್ಟಿಯಿಂದ ಬಂದು ದೊಡ್ಡ ಬಂದರು

ಬೇಕಾಗಿದೆ. ಅದುದಿರಿಂದ ಕೋಟ್ಯಾಂತರ ರೂಪಾಯಿ ಖಚ್ಚಿF ಮಾಡಿ ಮಂಗಳೂರನ್ನು ಬೃಹತ್ ಬಂದರವನ್ನಾಗಿ ತಯಾರಾಗುತ್ತಿರುತ್ತಂಥ ಕಾಲದಲ್ಲಿ ಭಾಗಿ ಸಾಮಾಜಿಕ ಮಾಡತಕ್ಕಂಥ ಕೆಲಸ ಒಂದು ಹೆಚ್ಚಿನ ಕೆಲಸವಾಗಿದೆ. ಇದಕಾಗು ಒಬ್ಬ ಸೈಫರ್ ಅಫಿಸರ್ ನೇಮುಕ ಮಾಡಿದೆ. ಭಾಗಿ ಸಾಮಾಜಿಕ ಮಾಡಿಕೊಂಡ ಬಗ್ಗೆ ಜನರಿಗೆ ಲಕ್ಷ್ಯಾಂತರ ರೂಪಾಯಿ ಪರಿಹಾರ ಕೋಟ್ಯಾಗ್ದೀರೆ. ಇಲ್ಲಿ ಕೆಲಸ ತೀವ್ರಗಳಿಯಂದ ದಕ್ಷತೆಯಿಂದ ವಾದಿದ್ದೇವೆಂದು ಮೆಚ್ಚಿಗೆಯನ್ನು ಈ ಸಚಿಯಲ್ಲಿ ಅನೇಕರು ವ್ಯಕ್ತಪಡಿಸಿದ್ದಾರೆ. ಈ ಮನೂದೆಗೆ ಸಂಬಂಧಾಚ್ಚಿ ಹಾಗೆ ಮಾನ್ಯ ಸದಸ್ಯರು ಏನೇನು ಏಷಯು ಪ್ರಸಾರ ವಾದಿದ್ದಿರೀ ಅದಕ್ಕೆ ನಾನು ಉತ್ತರ ಕೋಟ್ಯಾಗ್ದೀನೆ. ಬಹುತ್ವಾಗಿ ಇನ್ನು ಮುಂದೆ ನಮಗೆ ಬರತಕ್ಕಂಥ ಅನುಭಾವದಿಂದ ಅನೇಕ ರಿಶಿಯಿಂದ ಇದರಲ್ಲಿ ತಿದ್ದುಪಡಿ ಮಾಡಬೇಕಾಗಬಹುದು. ಇದಕ್ಕೆ ಅವಕಾಶ ಇದೆ. ಈ ಮನೂದೆಯನ್ನು ಕೂಲಂಕಷಣವಾಗಿ ಪರಿಶೀಲನೆ ಮಾಡುವುದಕಾಗಿ ಒಂದು ಜಾಯಂಟ್ ಸೆರ್ಕೆಲ್ ಕುಟುಂಬಿಗೆ ಕಳಿಸಿ ಕೊಡಿ ಎಂದು ಮಾನ್ಯ ಸದಸ್ಯರಾದ ನಿಧಿ ವ್ಯಾಪಕವಾದ ನಾಯಕರು ತಿಳಿಸಿದರು. ಅದರೆ ಅವರಿಗೆ ನಾನು ನಮ್ಮತೆಯಿಂದ ಒಂದು ಮಾತನ್ನು ಕೇಳಿ ಕೊಳ್ಳುತ್ತೇನೆ ಭಾಗಿ ಸಾಮಾಜಿಕ ಪಡಿಸಿಕೊಳ್ಳಲು ಕ್ರಮ ತಗೆದುಕೊಳ್ಳಲು ಕಾನೂನಿನಲ್ಲಿ ಏನಾದರೂ ರೋಪದ್ದೂವಿಗಳಿಂದ ಜನರು ನೇರವಾಗಿ ತರಾರು ಮಾಡಿ ನಾಯಕಾಲಯಗಳಿಗೆ ಕೋಗ್ನಿಪುದರಿಂದ ಕೆಲಸ ನಿತ್ಯ ಕೋಗ್ನಿಪುದರಿಕೆ ಅವಕಾಶವಾಗುತ್ತದೆ. ಅದುದಿರಿಂದ ನಮ್ಮ ಪ್ರಗತಿಯ ದೃಷ್ಟಿಯಿಂದ ತಾವು ಈ ತಿದ್ದುಪಡಿಗೆ ತಮ್ಮ ಒಟ್ಟಿಗೆಯನ್ನು ಕೊಡಬೇಕು. ಮತ್ತೆ ತೊಂದರೆಗಳ್ಲಿನಾದರೂ ಇದ್ದ ಪಕ್ಷದಲ್ಲಿ ಮುಂದಿನ ಸಾರಿ ವಿಷದವಾಗಿ ತಾವು ಏನು ಹೇಳುತ್ತಿರಿ ಆ ರೀತಿ ಕೆಲವಾರು ತಿದ್ದುಪಡಿಗಳನ್ನು ಬೇರೆ ರೂಪದಲ್ಲಿ ತರುವುದಕ್ಕೆ ಪ್ರಯತ್ನ ಮಾಡುತ್ತೇನೆ.

ಇಮ್ಮುದ್ದೇ ತಾವು ಈ ಮನೂದೆಗೆ ಒಟ್ಟಿಗೆಯನ್ನು ಸರ್ವಾನುಮತದಿಂದ ಕೊಡಬೇಕಂದು ಪ್ರಾರ್ಥಿಸುವುದಾಗಿ ತಾವು ಏನು ಹೇಳುತ್ತೇನೆ.

Mr. SPEAKER.—Half-an-hour allotted for the Bill was over before Tea break. I will put it to the vote. The question is:

“That the Land Acquisition (Mysore Amendment and Validation) Bill, 1967 be taken into consideration.”

The motion was adopted.

Mr. SPEAKER.—There are two motions one by Sri Kalmankar and the other by Sri Aithal. The motion given by Sri Aithal is first in order and therefore, he may move it.

Sri P. V. AITHAL.—Sir, under rule 74 of the Rules of Procedure I move:

“That the Land Acquisition (Mysore Amendment and Validation) Bill, 1967, be referred to a Joint Select Committee.”

“The names of Members may be announced at the time when the motion is taken into consideration.”

Mr. SPEAKER.—Amendment moved:

“That the Land Acquisition (Mysore Amendment and Validation) Bill, 1967 be referred to a Joint Select Committee.”

“The names of members may be announced at the time when the motion is taken in to consideration.”

The entire point has been discussed and debated threadbare even without this. There is not going to be any new point to be urged by way of argument or elucidation. I will just allow five minutes and then put it to the House.

† శ్రీ పి. వి. బితాల్.—అధ్యక్షరే, ఈగు నావు విరోధ పక్షదవరు కేలపు వ్యవహారించేను కూడినేమే, స్ట్రిడర్ బెంబు కడెయింద కేలవు వ్యవహారించేను బిందిమే. అదన్ను కూలంపటవాగి నోరెడబేకాగిద్దు విషయ. నన్ను అభిపూర్యుద ప్రకార—నాను ఒచ్చి లాయిరు—సేక్సన్ 4,5,6, ఇష్టగణన్ను నోరెడిదరే అల్లు ఒందు చ్చోం లమిట్ ఇదే. సేక్సన్ 4రల్లి 45 దినగా అవధియన్ను అభేక్షన్ ఫ్రూల్ మాదెలక్స్ కోష్టధారే. అదాద నంతర రిపోళ్స్ సాకారచ్ హోద మేలే ద ఉఫ్స్ డిక్లరేషన్ బిరుత్తే, ఇదన్ను ఎదు తింగా ఒళగే డెప్ర్యూటి కమిషనరు తనిటి మాది సాకారచే కళనబేకు. సేక్సన్ 6 రల్లి 'then the declaration shall be passed' ఎందు ఇదే. 'డస్' ఎందే జంతిష్ట వేరేయోలగి అదన్ను పాశ్ వాప్ బేకాగిదే. ఇల్లుదే ఇద్దుగొ కూడ సేక్సన్ 4,5,6,న్ను నోరెదువాగ చ్చోం లమిట్ ఇదే ఎన్ను ప్రముఖీగొత్తాగున్ త్తేదే. అదకారణ మంగలు వచ్చేద సమయ కొఱక్కు, ప్రచేగిలగి, ఇంటిలేస్ట్ డా పసన్స్ గే, యార అస్తియన్ను అస్ట్రో మాదుత్తారేయో అంథ మనుష్యుగి సిక్కుఎంథ బీలే నోరెడరే బిషా నష్టవాగుత్తేదే. ఈగు ఇరువ ఆశ్చర్య ప్రకారపే మంగలు వచ్చేద కిందే ఇల్ల సరా సరి చేలయన్ను కోదిబేకు ఎందు ఇదే. సేక్సన్ నాల్ను ఐ అన్నయినిద్దుక్కే మంగలు వచ్చేద కిందే ఎందు మాదిదరే అరు వచ్చేద కిందే ఇద్దంథ బీలే సిక్కుద్ద కాగి ఆగుత్తేదే. సేక్సన్ రెర ప్రకార పాశ్ మాదిద కూడలే నంబంధపట్టవరిగి కు సిక్కుత్తేదే ఎందిల్ల.

Sri B. RACHIAH.—That is the maximum time allowed. But nothing prevents us to give a declaration within six months.

Sri P. V. AITHAL.—Then why do you want three years? అదక్కోస్ స్కూరచాగి నాను ఏను హెళ్తుత్తేనేందరే, జాయింట్ సేలెక్ష్స్ కమిషన్ ఆ మనందేయన్ను కళనిదరే అల్లు కూలంపటదాగి జిచ్చెస్ మాది, రాజ్యకౌం తొందరేయాగుబారయు, భాగ మాలకరు మత్తు ర్యాతరిగొ తొందరేయాగబారదు రాజ్యద కేలపగాలగొ తొందరేయాగబారదు ఎన్ను వ ద్యుష్టియింద ఇదన్ను తుతాగి జిచ్చెస్ మాలు అవకాశచాగువుదరింద ఇదన్ను జాయింట్ సేలెక్ష్స్ కమిషన్ కళనబేకేందు హేళ్తుద్దైనే.

శ్రీమాన్ కేలావళి అవరు మాతనాదువాగ ఆగిన దేవలచింగా దేల్తదల్ల ప్రచేగి తొందరే అదరూ చింత ఇల్ల, దేల్తద కేలపవాగబేకు ఎన్నువ అధ్య బిరువంతే హేళ్తదరు. అదన్ను నాను ఒప్పువుదిల్ల.

Sri S. D. KOTHAVALE.—The Hon'ble Member should quote me properly. I said both interests should be safeguarded and this amendment is doing that. That is what I said.

Sri P. V. AITHAL.—My submission is that the public interest need not be guarded at the suffering on the part of a citizen. అదకారణ ఆ మనందేయన్ను సేలెక్ష్స్ కమిషన్ కళనబేకేందు హేళ్తుత్తేదే.

Mr. SPEAKER.—Will the Hon'ble Minister accept the amendment?

Sri B. RACHIAH.—No Sir.

Mr. SPEAKER.—I may say incidentally the time having been expired, I could have put it to the guillotine. But I did not want to shut out any reasonable debate. I will put the amendment to the vote:

The question is :

" That the Land Acquisition (Mysore Amendment and Vali-dation) Bill, 1967 be referred to a Joint Select Committee."

"The names of Members may be announced at the time when the motion is taken into consideration."

The motion was negatived.

CALUSES 2 and 3.

Mr. SPEAKER.—There are no amendments I will put the clauses. The question is :

"That clauses 2 and 3 stand part of the Bill."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Sri DIGAMBAR RAO B. KALMANKAR.—I have also given notice of a similar motion for reference to Select Committee.

CLAUSE 1, etc.

Mr. SPEAKER.—How can I put the motion to the vote? Does he know the consequences of the rejection of a similar motion? His motion will not survive.

The question is :

"That clause 1, the Title and the Preamble stand part of the Bill."

The motion was adopted.

Clause 1, the Title and the Preamble were added to the Bill.

Motion to pass.

Sri B. RACHAIAH.—Sir, I beg to move :

"That the Land Acquisition (Mysore Amendment and Validation) Bill, 1967 be passed."

Mr. SPEAKER.—The question is :

"That the Land Acquisition (Mysore Amendment and Validation) Bill, 1967 be passed."

The motion was adopted.

mysore sales tax (amendment) bill, 1967

Motion to consider

Sri RAMAKRISHNA HEGDE (Minister for Finance and Planning).—Sir, I beg to move :

"That the Mysore Sales-tax (Amendment) Bill, 1967 be taken into consideration."